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15 **UNITED STATES DISTRICT COURT**
16 **CENTRAL DISTRICT OF CALIFORNIA**

17 ANGEL AGUIAR, Individually and on
18 Behalf of All Others Similarly Situated,
19 Plaintiff,

20 vs.

21 MERISANT COMPANY, and WHOLE
22 EARTH SWEETENER COMPANY,
23 LLC,

24 Defendants.

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Civil No.: 2:14-cv-00670-RGK-AGR

**STIPULATION REGARDING
DATES FOR FINAL APPROVAL
OF SETTLEMENT**

Judge: Hon. R. Gary Klausner
Date: February 2, 2015
Time: 9:00 a.m.
Ctrm: 850

1 The parties, Plaintiff Angel Aguiar (“Plaintiff”) and Defendants Whole
2 Earth Sweetener Company LLC and Merisant Company (“Defendants”) hereby
3 advise the Court and stipulate as follows:

4 1. On August 18, 2014, the Plaintiff filed an Unopposed Motion for
5 Preliminary Approval of Class Action Settlement, Certifying Settlement Class,
6 Approving Notice Plan, and Final Scheduling Date for Fairness Hearing (ECF No.
7 107) (“Motion for Preliminary Approval”) as well as a supporting memorandum
8 and declaration with exhibits (ECF Nos. 108-109), including the Class Settlement
9 Agreement (ECF No. 109-1).

10 2. On October 6, 2014, the Court entered its (in chambers) Order re:
11 Plaintiff’s Motion for Preliminary Approval of Class Action Settlement (ECF No.
12 113) finding that the proposed Settlement Class satisfied all of the Rule 23
13 certification requirements for the purposes of settlement, appointing Class Counsel
14 for the Settlement Class, granting preliminary approval of the Settlement, and
15 approving the Proposed Notice Plan.

16 3. In order to provide Settlement Class Members notice of the Fairness
17 Hearing, a date for such hearing needs to be set in advance and distributed through
18 the Notice Plan the Court has now approved.

19 4. On October 14, 2014, the Court informed the parties of its desire for
20 them to file a stipulation concerning the date for preliminary approval of the
21 Settlement.

22 5. The parties hereby stipulate that the following dates should apply:

- 23 • A Fairness Hearing will occur on February 2, 2015 at 9:00 A.M. at
- 24 the United States District Court for the Central District of
- 25 California, 255 East Temple Street, Los Angeles, California;
- 26
- 27
- 28

- 1 • Plaintiff shall file her Motion for Final Approval of the Settlement
- 2 and her Motion for Attorney's Fees, Costs, and Expensive, and
- 3 Motion for Incentive Award by no later than December 18, 2014.
- 4 • Settlement Class Members must file any objections to the
- 5 Settlement and the Motion for Attorneys' Fees, Costs, and
- 6 Expenses and/or for Incentive Awards by no later than January 2,
- 7 2015.
- 8 • Settlement Class Members who intend to appear at the Fairness
- 9 Hearing must file a Notice of Intention to Appear at the Fairness
- 10 Hearing by no later than January 16, 2015.
- 11 • The Notice Administrator shall file: (a) a list of those persons who
- 12 have opted out or excluded themselves from the Settlement; (b) the
- 13 details outlining the scope, methods, and results of the notice
- 14 program; and (c) compliance with the obligation to give notice to
- 15 each appropriate State and Federal official, as specified in 28
- 16 U.S.C. §1715, and any other applicable statute, law, or rule,
- 17 including, but not limited to, the Due Process Clause of the United
- 18 States Constitution, by no later than January 23, 2015.
- 19 • Class Counsel and Defendants shall have the right to respond to
- 20 any objection no later than January 26, 2015.

21 ///

DATED: October 16, 2014

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KIRKLAND & ELLIS LLP

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¹ I, Amanda F. Lawrence, am the ECF user whose ID and password are being used to file this Stipulation Re Settlement, Pending Motions, and Litigation Stay. I hereby attest that the following attorney has concurred in and authorized this filing: C. Robert Boldt, counsel for Defendant.

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CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2014, I caused the foregoing to be electronically filed with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the email addresses denoted on the Electronic Mail Notice List.

I certify that the foregoing is true and correct. Executed on October 16, 2014.

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